

## **REMARKS**

This is intended to be a complete response to the Official Action mailed January 25, 2005, in which claims 1-11, 13-23, 38 and 45 were rejected. Claims 39-44 and 46-51 were objected to. Claim 52 has been allowed. Applicants have amended claim 41 herein. Claim 40 has been cancelled without prejudice.

The Office Action dated January 25, 2005 has been reviewed.

In view of the submission of a terminal disclaimer and the following arguments, it is respectfully submitted that the claims are in condition for allowance.

### **Rejection of Claims Under the Judicially Created Doctrine of Obviousness-type Double Patenting**

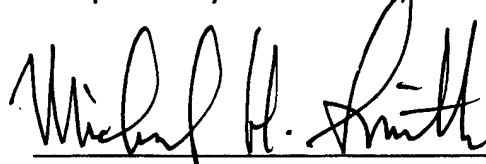
In the Office Action dated January 25, 2005, the Examiner provisionally rejected claims 1-11, 13-23, 38, and 45 under the judicially created doctrine of obviousness-type double patenting over claims 1-22, 28, and 35, respectively, of copending Application No. 10/706,552.

In the Office Action dated January 25, 2005, the Examiner provisionally rejected claims 1-11, 13-23, 38, and 45 under the judicially created doctrine of obviousness-type double patenting over claims of copending Application No. 10/706,551.

Applicant respectfully submits that the Examiner's rejection under the judicially created doctrine of obviousness-type double patenting is overcome in view of the terminal disclaimer submitted herewith in accordance with the provisions of 37 C.F.R. 1.30(b). The terminal disclaimer shows the subject application is commonly owned with Application Nos. 10/706,552 and 10/706,551. In view thereof, it is respectfully requested that the Examiner withdraw the rejection of claims 1-11, 13-23, and 38-52 under the judicially created doctrine of obviousness-type double patenting, as applicable to the claims now pending in the application.

In view of the above, Applicants respectfully suggest the claims are now in a condition for allowance and request issuance of a Notice of Allowance thereof.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Michael H. Smith", written over a horizontal line.

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